

(Do Not Write) 04-06-2005

AN ORDINANCE
BY COUNCILMEMBER *Felicia A. Moore*
FELICIA A. MOORE

AMENDING THE CITY OF ATLANTA'S CODE OF ORDINANCES SECTION 130-84 (RATES AND CHARGES) BY DELETING THE FRONTAGE SOLID WASTE CHARGES REFERENCE IN THE CODE; AND FOR OTHER PURPOSES.

Committee _____
Date _____
Chair _____
Referred To _____

☐ 2nd ☐ 1st & 2nd ☐ 3rd
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

Refer To _____

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 11/1/04

Referred To: City Utilities

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

MAYOR'S ACTION

AN ORDINANCE

BY COUNCILMEMBERS  FELICIA A. MOORE & CLAIR MULLER

AMENDING THE CITY OF ATLANTA'S CODE OF ORDINANCES SECTION 130-84 (RATES AND CHARGES) BY DELETING THE FRONTAGE SOLID WASTE CHARGES REFERENCE IN THE CODE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is charged with the responsibility of the removal of garbage and other solid waste from single-family and multi-family residential dwellings; and

WHEREAS, a Solid Waste fee is assessed against the property owners in addition to a per foot fee for paved and unpaved frontage; and

WHEREAS, the rationale for the frontage fee cannot be adequately explained as to why is it being charged and

WHEREAS, the City of Atlanta is the only metro jurisdiction charging its citizen a frontage fee for solid waste collection; and

WHEREAS, the citizens of Atlanta has requested that this fee be stricken from the Code of Ordinances as it does not fair to a homeowner that lives on a corner lot and generates no waste because he/she recycles; and

WHEREAS, the Georgia Solid Waste Management Act prohibits yard trimming from being disposed in landfills and the frontage fee was an attempt to collect for the vast amount of yard trimmings from large lots going into the City's landfills; and

WHEREAS, citizens are complaining that they do not like the frontage calculations.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That Section 130-84 (Rates and charges) be amended by deleting the frontage fee for residential customers and renumbering subsequent subparagraphs:

(1) Residential rate: \$307.19 per year ~~plus 0.94 cents per foot of paved street frontage and, to cover rubbish collection costs for unpaved frontage, 0.67 cents~~

~~per foot of unpaved street frontage, up to maximum of 200 feet. In calculating the charge, pave frontage is calculated first and then unpaved frontage.~~

~~(2) Duplex or triplex rate: as above for each residence, plus \$307.19 per year for each separate living unit in excess of one.~~

(1) Apartments, condominiums, townhouse, public housing or any other multi-family dwelling rates: \$1.63 per foot of paved street frontage, and to cover rubbish collection costs for unpaved frontage, \$0.67 per foot of unpaved street frontage plus one of the following charges, as appropriate.

A. \$307.19 per year, for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from individual containers, garbage cans or bags;

B. \$183.37 per year for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from industrial containers;

C. Where the multi-family dwelling units or apartments are located in building structures with incinerator[s], duly installed and operating therein in accordance with all laws and regulations applicable to incinerators, depositing only incinerator refuse, and if the collection is from industrial containers grouped together, as hereinafter defined, the amount shall be \$53.82 per year for each dwelling unit; if such containers are not grouped together, then the amount shall be \$122.79 per year for each dwelling unit; for the purpose of this section, industrial containers are grouped together when such containers are located physically adjacent with only sufficient space between such containers to permit access and pickup by the city collection equipment without the movement or shifting of any of said containers in order to gain access to any other of said containers;

D. \$54.87 per year for each dwelling unit to which collection and removal services are made available to collect garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwelling units.

(2) Residential backyard removal: \$962.21 per year.

(3) Mobile home parks:

A. Individual garbage cans: \$193.35 per year.

B. Installed industrial containers: \$479.42 per year. See subsection (7).

(4) Commercial and industrial rates:

A. \$7.60 per foot of street frontage property located in all areas receiving street cleaning at a frequency of three to six times per week;

B. \$3.70 per foot of street frontage for property located in all areas receiving special thoroughfare street cleaning (at least once a week) in addition to street cleaning at the same frequency as residential service (once per three weeks);

C. \$2.89 per foot of street frontage for all other commercial and industrial property receiving street cleaning at the same frequency as residential (once per three weeks);

D. \$0.67 per foot of unpaved street frontage for commercial and industrial property abutting unpaved streets to cover rubbish collection cost.

(5) Public property charge for services that have been contracted: a flat charge of \$479.42 per year for each parcel in lieu of the frontage charge. For public housing charges, see subsection (3)a.—d. For government buildings garbage collection, see surcharges, subsection (6).

(6) vacant parcels: a charge based upon street frontage to cover street cleaning and rubbish collection based on the zoning class of the property; residential to be charged as in subsection (1), apartments and other multi-family dwellings to be charged as in subsection (3)d., and commercial/industrial to be charged as in subsection (6).

(7) Building of public worship rate: \$1.26 per square foot of paved street frontage to cover street cleaning and rubbish collection costs; \$0.52 per foot of unpaved street frontage for rubbish collection costs. In addition to the front footage levy listed above, there shall be a charge of \$208.59 per year for solid waste collection from individual containers, garbage cans or bags, or a charge of \$183.37 per year if the solid waste collection is from industrial containers.

(8) Minimum; private landfill site and transfer station operations: a minimum of \$1.10 per ton payable to the city by all private landfill site operations and transfer station operations and transfer station operation located within the city for refuse disposed, collected, handled, processed or reclaimed within the jurisdiction of the city. Fees must correspond with tonnage handled and will be payable quarterly and prior to issuance of annual permits.

As required by O.C.G.A § 12-8-39, all user fees collected in accordance with this subsection shall be deposited in a local restricted account and used solely for solid waste management purposes.

(9) Corner lots: properties located on corner lots with two or more street frontages will be charged based on the footage of the street frontage which is the legal address of the property.

(Ord. No. 2004-06, § 1, 1-12-04)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby waived.

CODE OF ORDINANCES City of ATLANTA, GEORGIA Codified through Ord. No. 2004-46, enacted July 22, 2004. (Supplement No. 28) \ PART II CODE OF ORDINANCES—GENERAL ORDINANCES \ Chapter 130 SOLID WASTE MANAGEMENT* \ ARTICLE II. MUNICIPAL COLLECTION AND DISPOSAL SYSTEM \ DIVISION 4. RATES AND CHARGES

Sec. 130-84. Rates and charges.

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The following rates and charges are hereby established for solid waste collection and shall become effective July 1, 2003:

- (1) *Residential rate:* \$307.19 per year plus 0.94 cents per foot of paved street frontage and, to cover rubbish collection costs for unpaved frontage, 0.67 cents per foot of unpaved street frontage, up to maximum of 200 feet. In calculating the charge, paved frontage is calculated first and then unpaved frontage.
- (2) *Duplex or triplex rate:* As above for each residence, plus \$307.19 per year for each separate living unit in excess of one.
- (3) *Apartments, condominiums, townhouse, public housing or any other multi-family dwelling rates:* \$1.63 per foot of paved street frontage, and to cover rubbish collection costs for unpaved frontage, \$0.67 per foot of unpaved street frontage plus one of the following charges, as appropriate.
 - a. \$307.19 per year, for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from individual containers, garbage cans or bags;
 - b. \$183.37 per year for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from industrial containers;
 - c. Where the multi-family dwelling units or apartments are located in building structures with incinerator[s], duly installed and operating therein in accordance with all laws and regulations applicable to incinerators, depositing only incinerator refuse, and if the collection is from industrial containers grouped together, as hereinafter defined, the amount shall be \$53.82 per year for each dwelling unit; if such containers are not grouped together, then the amount shall be \$122.79 per year for each dwelling unit; for the purpose of this section, industrial containers are grouped together when such containers are located physically adjacent with only sufficient space between such containers to permit access and pickup by the city collection equipment without the movement or shifting of any of said containers in order to gain access to any other of said containers;
 - d. \$54.87 per year for each dwelling unit to which collection and removal

services are made available to collect garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwelling units.

- (4) *Residential backyard removal:* \$962.21 per year.
- (5) *Mobile home parks:*
 - a. Individual garbage cans: \$193.35 per year.
 - b. Installed industrial containers: \$479.42 per year. See subsection (7).
- (6) *Commercial and industrial rates:*
 - a. \$7.60 per foot of street **frontage** property located in all areas receiving street cleaning at a frequency of three to six times per week;
 - b. \$3.70 per foot of street **frontage** for property located in all areas receiving special thoroughfare street cleaning (at least once a week) in addition to street cleaning at the same frequency as residential service (once per three weeks);
 - c. \$2.89 per foot of street **frontage** for all other commercial and industrial property receiving street cleaning at the same frequency as residential (once per three weeks);
 - d. \$0.67 per foot of unpaved street **frontage** for commercial and industrial property abutting unpaved streets to cover rubbish collection cost.
- (7) *Public property charge for services that have been contracted:* A flat charge of \$479.42 per year for each parcel in lieu of the **frontage** charge. For public housing charges, see subsection (3)a.—d. For government buildings garbage collection, see surcharges, subsection (6).
- (8) *Vacant parcels:* A charge based upon street **frontage** to cover street cleaning and rubbish collection based on the zoning class of the property; residential to be charged as in subsection (1), apartments and other multi-family dwellings to be charged as in subsection (3)d., and commercial/industrial to be charged as in subsection (6).
- (9) *Building of public worship rate:* \$1.26 per square foot of paved street **frontage** to cover street cleaning and rubbish collection costs; \$0.52 per foot of unpaved street **frontage** for rubbish collection costs. In addition to the front footage levy listed above, there shall be a charge of \$208.59 per year for solid waste collection from individual containers, garbage cans or bags, or a charge of \$183.37 per year if the solid waste collection is from industrial containers.
- (10) *Minimum; private landfill site and transfer station operations:* A minimum of \$1.10 per ton payable to the city by all private landfill site operations and transfer station operations and transfer station operation located within the city for refuse disposed, collected, handled, processed or reclaimed within the jurisdiction of the city. Fees must correspond with tonnage handled and will be payable quarterly and prior to issuance of annual permits.

As required by O.C.G.A § 12-8-39, all user fees collected in accordance with this subsection shall be deposited in a local restricted account and used solely for solid waste management purposes.
- (11) *Corner lots:* Properties located on corner lots with two or more street frontages

will be charged based on the footage of the street **frontage** which is the legal address of the property.

(Ord. No. 2004-06, § 1, 1-12-04)

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Secs. 130-85—130-100. Reserved.

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